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2008 NOV 25 AM 11:52

REQUEST FOR REFUND  
Appln. No. 10/525,180  
Docket No. 074060.2

PATENT

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:

Applicant : Sawitzki  
Serial No. : 10/525,180  
Filing Date : 09/27/2006  
Art Unit : 1632  
Confirmation No. : 4919  
Examiner : Bausch, Sarae L.  
Title : IMMUNE MARKERS USED FOR DIAGNOSIS AND  
THERAPY IN CONNECTION WITH TRANSPLANT  
REACTIONS  
Attorney Docket No. : 074060.2

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND  
(ERRONEOUS CHARGE TO DEPOSIT ACCOUNT)**

This paper requests a refund with respect to the charge on November 11, 2008 to Deposit Account 20-0809, for the above-identified application. A copy of the original Acknowledgement Receipt showing that payment was made in the amount of \$525.00 is attached as Exhibit A. Electronic Acknowledgement Receipt filed by U.S. Patent and Trademark Office September 3, 2008 shows no payment was received.<sup>1</sup>

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<sup>1</sup> Attached as Exhibit B

**I FEES CHARGED FOR WHICH A REFUND IS REQUESTED REGARDING  
DEPOSIT ACCOUNT 20-0809 – STATEMENT DATED NOVEMBER 21, 2008<sup>2</sup>**

11/21/08	10525180	074060.2 (VKSW-01)	Showing Code 1254	-\$905.00
08/04/08	Amount paid via Credit Card (Acknowledgement Attached)			525.00
<b>TOTAL REFUND REQUESTED:</b>				<b>\$610.00</b>

**II EXPLANATION OF WHY THE CONTESTED CHARGE IS IN ERROR**

An Election and Preliminary Amendment to the Office Action mailed March 5, 2008 was originally filed through the USPTO's EFS-Web electronic filing system on August 4, 2008. The Election and Preliminary Amendment stated it was responsive to the March 3, 2008 Office action, which was a typographical error. The Acknowledgement Receipt dated August 4, 2008 shows fees were paid, via credit card, for a three-month extension of time (\$525.00). Therefore, only the amount of \$295.00 should have been deducted from Deposit Account No. 20-0809 for the fourth month extension. Please refund Deposit Account No. 20-0809 in the amount of \$610.00.

**III MANNER OF REFUND**

Please make refund by crediting Deposit Account 20-0809.

Respectfully submitted,  
THOMPSON HINE LLP

/Beverly A. Lyman/  
Beverly A. Lyman, Ph.D.  
Reg. No. 41,961

THOMPSON HINE LLP  
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Dayton, OH 45401-8801  
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Facsimile: (513) 241-4771

714429.1

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<sup>2</sup> Attached as Exhibit C

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	3723956
<b>Application Number:</b>	10525180
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4919
<b>Title of Invention:</b>	Immune Markers Used for Diagnosis and Therapy in Connection With Transplant Reactions
<b>First Named Inventor/Applicant Name:</b>	Birgit Sawitzki
<b>Customer Number:</b>	26875
<b>Filer:</b>	Beverly A. Lyman/Dottie Hensley
<b>Filer Authorized By:</b>	Beverly A. Lyman
<b>Attorney Docket Number:</b>	VKSW-01
<b>Receipt Date:</b>	04-AUG-2008 ✓
<b>Filing Date:</b>	27-SEP-2006
<b>Time Stamp:</b>	15:17:01
<b>Application Type:</b>	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	yes ✓
Payment Type	Credit Card
Payment was successfully received in RAM	\$525 ✓
RAM confirmation Number	722
Deposit Account	200809
Authorized User	LYMAN,BEVERLY
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)	

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (If appl.)
1		ELECTION.pdf	73290	yes	6
			0a0b3d7110b9e0367b48e34033294188 402c549b		
	Multipart Description/PDF files in .zip description				
	Document Description	Start	End		
	Preliminary Amendment	1	1		
	Claims	2	5		
	Applicant Arguments/Remarks Made in an Amendment	6	6		

**Warnings:****Information:**

2	Fee Worksheet (PTO-06)	fee-info.pdf	8209	no	2
			44b300b6427a3337db44a673114d9e0e1 402c549b		

**Warnings:****Information:**

Total Files Size (in bytes):			81499
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 Indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

## Electronic Acknowledgement Receipt

EFS ID:	3879490
Application Number:	10525180
International Application Number:	
Confirmation Number:	4919
Title of Invention:	Immune Markers Used for Diagnosis and Therapy In Connection With Transplant Reactions
First Named Inventor/Applicant Name:	Birgit Sawitzki
Customer Number:	26875
Filer:	Beverly A. Lyman/Jan M Lewin
Filer Authorized By:	Beverly A. Lyman
Attorney Docket Number:	VKSW-01
Receipt Date:	03-SEP-2008 ✓
Filing Date:	27-SEP-2006
Time Stamp:	13:33:14
Application Type:	U.S. National Stage under 35 USC 371

### Payment Information:

Submitted with Payment	no ✓ Error				
<b>File Listing:</b>					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (If appl.)
1	Power to Make Copies and/or Inspect	VKSW_01_Rev_POA.pdf	256505 ed554417ac772a02364f7bd4c581a20b5c72 072ab	no	2
Warnings:					
Information:					

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

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**Hensley, Dottie**

From: Kinninger, Mary  
 Sent: Friday, November 21, 2008 2:36 PM  
 To: Hensley, Dottie  
 Subject: von Kreisler Selling Werner (074060.00002)

Dottie, PTO has charged our deposit account for the attached. Please send a completed requisition form and attached any documentation to me. Thanks.

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Address: <https://ramps.uspto.gov/ramfp/saleDetail.html>

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Type: Sale Name/Number: 10525180  
 Status: Active Attorney Docket Number: VKSW-01  
 Accounting Date: 11/21/2008

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**Sale Items**

Name/Number	Attorney Docket Number	Status	Quantity	Item Total	Payment Amount	Fee Code	Description
10525180	VKSW-01	Active	1	\$0.00	\$905.00	1254	EXTENSION FOR RESPONSE WITHIN MONTH

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**Payment Details**

Payment Type	Total Payment Amount	Payment Date	Payment Amount (this sale)
Deposit Account	\$905.00	11/21/2008	

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11/21/2008

Document code: WFEE

United States Patent and Trademark Office  
Sales Receipt for Accounting Date: 11/21/2008

LHUMES SALE #00000001 Mailroom Dt: 08/04/2008 200809 10525180  
01 FC:1254 905.00 DA

11/28/2008 SDIRETA1 00000006 233000 10525180

01 FC:2254 295.00 DA

Adjustment date: 11/28/2008 SDIRETA1  
11/21/2008 LHUMES 00000001 200809 10525180  
01 FC:1254 905.00 CR